

1 MCGREGOR W. SCOTT
United States Attorney
2 BENJAMIN B. WAGNER
S. ROBERT TICE-RASKIN
3 Assistant U.S. Attorneys
501 "I" Street, Suite 10-100
4 Sacramento, California 95814
Telephone: (916) 554-2700
5
6

7 IN THE UNITED STATES DISTRICT COURT FOR THE
8 EASTERN DISTRICT OF CALIFORNIA
9

| | | |
|-------------------------------|---|------------------|
| 10 UNITED STATES OF AMERICA, |) | 2:03-CR-0202-GEB |
| |) | |
| 11 Plaintiff, |) | FINAL ORDER OF |
| |) | FORFEITURE |
| 12 v. |) | |
| |) | |
| 13 ACEY R. JOHNSON, |) | |
| LONG N. LEE, |) | |
| 14 VINESH PRASAD, |) | |
| MINESH PRASAD, |) | |
| 15 NARINDERJIT SINGH BHULLAR, |) | |
| PHUONG-HIEN LAM TRINH, |) | |
| 16 RAMESH KUMAR JAISINGH, |) | |
| KIM CHI LAM, |) | |
| 17 RAJWANT VIRK, |) | |
| DALBIR SINGH, and |) | |
| 18 DAVINDER SINGH BHULLAR, |) | |
| aka Shamsheer Singh, |) | |
| 19 |) | |
| Defendants. |) | |
| 20 |) | |

21 The Court makes the following FINDINGS:

22 1. On September 15, 2004, this Court entered a Preliminary
23 Order of Forfeiture, ordering the forfeiture of the following
24 properties:

- 25 (a) Approximately \$41,101.00 in U.S. Currency
26 seized on or about April 29, 2003, at 2420
Wittkop Way, Sacramento, California 95825;
- 27 (b) Approximately \$33,006.96 held in Wells Fargo
28 Bank accounts numbered 74304-17019 and
6607441334, in the name of Phuong-Hien Lam Trinh

1 and another person, in California, and seized on
2 or about April 29, 2003; and

3 (c) Approximately \$7,977.00 in U.S. Currency seized
4 on or about April 29, 2003, at 15526 Faysmith
Avenue, Gardena, California 90249.

5 The Court adjudged that based on the plea agreements of defendants
6 Narinderjit Singh Bhullar, Phuoung-Hien Lam Trinh, and Kim Chi Lam
7 and the stipulation of Phuoung-Hien Lam Trinh that the above-
8 described properties were subject to forfeiture pursuant to the
9 provisions of 18 U.S.C. § 981(a)(1)(C) (as incorporated by 28 U.S.C.
10 § 2461(c)) and/or 18 U.S.C. § 982(b)(1), (incorporating 21 U.S.C. §
11 853(p)).

12 2. On October 21, 2004, this Court entered a Preliminary Order
13 of Forfeiture ordering the forfeiture of the following properties:

14 (d) Approximately \$278,628.31 in lieu of the real
15 property located in Curry County, Oregon, at 263
16 Coast Guard Hill Rd., Port Orford, Oregon 97465,
described as lots 7 and 8, King Subdivision, Port
Orford, County of Curry, assessor's parcel number
33015005CC Tax Lot 200;

17
18 (e) Approximately \$100,000.00 from the proceeds of
19 the sale of the real property located at 11612
20 Kenwood Terrace, Fairfax, Virginia, in lieu of
the real property located at 35 Mockingbird
Trail, Bailey, Colorado;

21 (f) Approximately \$75,672.00 in U.S. Currency seized
22 on April 29, 2003 at 263 Coast Guard Hill Road,
Port Orford, Oregon;

23 (g) Approximately \$26,138.38 held in State
24 Department Federal Credit Union accounts
numbered 101022-00 and 101022-01, in the name of
Acey R. Johnson and Long N. Lee, in Virginia,
and seized on or about April 29, 2003;

25
26 (h) Approximately \$113,055.76 held in Charles Schwab
27 & Co. account number 5463-2874, in the name of
Acey R. Johnson and Long N. Lee, in California,
and seized on or about April 29, 2003;

28 (i) Approximately \$14,051.13 held in Klamath First

Federal Bank account number 2370045243, held in the names of Acey R. Johnson, Long N. Lee, and another person, and approximately \$29,950.88 in Klamath First Federal Bank account number 2370046423, held in the names of Long Lee dba Lemon Grass Restaurant and another person, in Oregon, and seized on or about April 29, 2003;

(j) Approximately \$14,774.55 held in United Bank account number 04293-2426, in the name of Acey R. Johnson, in Virginia, and seized on or about April 29, 2003;

(k) Approximately \$74,790.75 held in Washington Mutual Bank account number 38700000278683, in the name of Tyura International, Inc., in Washington, and seized on or about April 29, 2003 in Sacramento, California; and

(l) All pearls of any type seized during the search of the household belongings of Acey Johnson and Long Lee on August 12 and 13, 2003, at 608 Folcroft Street, Baltimore, Maryland, Port of Entry, with an appraised value of \$9,605.00.

The Court adjudged that based on the plea agreements of defendants Acey Johnson and Long Lee the above-described properties were subject to forfeiture pursuant to the provisions of 18 U.S.C. § 981(a)(1)(C) (as incorporated by 28 U.S.C. § 2461(c)) and/or 18 U.S.C. § 982(b)(1), (incorporating 21 U.S.C. § 853(p)).

3. On September 24, October 1, and 8, 2004, the United States published notice of the Court's September 15, 2004 Preliminary Order of Forfeiture in the Metropolitan News-Enterprise (Los Angeles County) and the Daily Recorder (Sacramento County), newspapers of general circulation located in the counties in which the subject properties listed in paragraphs 1.(a)-(c) above are located and/or were seized.

4. On October 29, and November 5 and 12, 2004, the United States published notice of the Court's October 21, 2004, Preliminary Order of Forfeiture in The Washington Times (Fairfax County,

1 Virginia); on November 3, 10, and 17, 2004, the United States
2 published notice of the Court's October 21, 2004, Preliminary Order
3 of Forfeiture in the Daily Recorder (Sacramento County); on November
4 12, 19, and 26, 2004, the United States published notice of the
5 Court's October 21, 2004, Preliminary Order of Forfeiture in the
6 Herald and News (Klamath County, Oregon); on November 13, 20, and
7 27, 2004, the United States published notification of the Court's
8 October 21, 2004, Preliminary Order of Forfeiture in the Curry
9 Coastal Pilot (Curry County, Oregon); on January 7, 14, and 21,
10 2005, the United States published notice of the Court's October 21,
11 2004, Preliminary Order of Forfeiture in The Recorder (San Francisco
12 County); and on April 1, 8, and 15, 2005, the United States
13 published notice of the Court's October 21, 2004, Preliminary Order
14 of Forfeiture in The Baltimore Sun (Baltimore County, Maryland).
15 Said publications occurred in newspapers of general circulation
16 located in the counties in which the subject properties listed in
17 paragraphs 2.(d)-(1) above are located and/or were seized. Said
18 published notices advised all third parties of their right to
19 petition the court within thirty (30) days of the publication date
20 for a hearing to adjudicate the validity of their alleged legal
21 interest in the forfeited property.

22 5. The United States sent, or through the exercise of
23 reasonable diligence attempted to send, direct written notice by
24 certified mail to the following persons or entities known to have an
25 alleged interest in one or more of the above-described properties:

- 26 a. Tyura International, Inc.
- 27 b. Christopher Runckel
- 28 c. Marilyn L. Oberbeck Lee

1 d. Lemon Grass Restaurant

2 6. No third party has filed a claim to the subject properties,
3 and the time for any person or entity to file a claim has expired.

4 Accordingly, it is hereby ORDERED, ADJUDGED and DECREED as
5 follows:

6 1. A Final Order of Forfeiture is hereby entered forfeiting to
7 the United States of America all right, title, and interest in all
8 of the properties listed in paragraphs 1.(a)-(c) and 2.(d)-(l) above
9 pursuant to 18 U.S.C. § 981(a)(1)(C) (as incorporated by 28 U.S.C. §
10 2461(c)) and/or 18 U.S.C. § 982(b)(1), (incorporating 21 U.S.C. §
11 853(p)), to be disposed of according to law, including all right,
12 title, and interest of defendants Narinderjit Singh Bhullar, Phuong-
13 Hien Lam Trinh, Kim Chi Lam, Acey Johnson and Long Lee.

14 2. All right, title, and interest in the above-described
15 properties shall vest solely in the name of the United States of
16 America.

17 3. The United States shall maintain custody of and control
18 over the above-described properties until they are disposed of
19 according to law.

20 DATED: August 1, 2005

21 /s/ Garland E. Burrell, Jr.
22 GARLAND E. BURRELL, JR.
23 United States District Judge
24
25
26
27
28